

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

**EARL WASHINGTON, JR.,**

**Plaintiff,**

**V.**

**Civil Action No.: 3:02CV106**

**CURTIS TODD WILMORE,**  
personal representative of the Estate  
of Curtis Reese Wilmore,

**Defendant.**

## ORDER

This matter is before the Court on the Renewed Joint Motion filed by Earl Washington, Jr. and Curtis Todd Wilmore, as personal representative of the Estate of Curtis Reese Wilmore, to Vacate the Judgment entered against the Estate of Curtis Reese Wilmore and to Dismiss the Amended Complaint with Prejudice. The Court, having considered the Motion and finding that the interests of justice favor granting the Motion, and for good cause shown, the Court hereby ORDERS that:

1. The judgment entered against the Estate of Curtis Reese Wilmore on August 29, 2006 is hereby VACATED;
  2. The Motion for Attorney's Fees and Costs pursuant to 42 U.S.C. § 1988 filed by Washington on November 9, 2006 is hereby deemed withdrawn by agreement of the parties;
  3. The Amended Complaint is DISMISSED WITH PREJUDICE as to all parties and all claims; and
  4. The parties shall bear their own costs and attorneys' fees.
- It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all  
counsel of record.

Entered:

*Nanna L. Mow*  
United States District Judge

*March 29, 2007*  
Date